

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Hayes et al.  
 Serial No. : 09/876,563  
 Filed : June 7, 2001  
 Title : CUSTOMER MESSAGING SERVICE

Art Unit : 2681  
 Examiner : Unknown

Commissioner for Patents  
 Washington, D.C. 20231

**RECEIVED**

DEC 10 2002

**GROUP 3600**

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the action mailed November 5, 2002, the applicant traverses the restriction requirement as applied to the Group I and the Group II claims. In particular, Group I, claims 1-6, 13-25 and 39-44 are drawn to a method for enrolling a customer, storing lists and contacting a customer, including a method with a plurality of businesses, whereas the Group II, claims 7-12, 26-38 and 45-50 are drawn to an article comprising a computer readable medium storing computer readable instructions to enroll a customer, store lists and contact the customer, including an article storing instructions pertinent to a plurality of businesses. The applicant respectfully asserts that the independent method claims 1, 13 and 39 are related to the independent article claims 7, 26 and 45 in design, operation and effect. Thus, even though the groups have been classified in different classes, there would be no undue burden on the U.S. Patent Office to examine both Group I and Group II claims in this application because a search would not have to be performed for the Group I claims in places where no pertinent art to the Group II claims exists and vice-versa. Consequently, the applicant requests withdrawal of the restriction requirement as to the Group I, claims 1-6, 13-25 and 39-44 and the Group II, claims 7-12, 26-38 and 45-50.

The applicant provisionally elects the invention of Group I, claims 1-6, 13-25 and 39-44.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

November 25, 2002

Date of Deposit

*Annette Mejia*

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Annette Mejia

Typed or Printed Name of Person Signing Certificate

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99/876,563  
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Attorney's Docket No 12587-007001

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 25 November 2002

  
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